

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

11-CR-6153L
12-CV-6389L

v.

TRYN PARKER,

Defendant.

Defendant, Tryn Parker ("Parker"), has filed a motion in this Court pursuant to 28 U.S.C. § 2255 to vacate or correct the judgment (Dkt. #49). That motion is denied. Defendant's present criminal case is still pending and there has been no final adjudication or sentence; therefore, Parker's motion is premature.

Parker already has filed a § 2255 petition relating to his conviction for conspiracy to commit bank fraud (08-CR-6270L). That motion is still pending before the Court.

CONCLUSION

Defendant Tryn Parker's motion (Dkt. #49) to vacate or set aside the judgment is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 30, 2012.